

MINUTES OF THE MEETING OF THE NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER JOINT AUDIT AND SCRUTINY PANEL HELD ON WEDNESDAY 30th SEPTEMBER 2020 COMMENCING AT 10.00AM VIA MICROSOFT TEAMS

MEMBERSHIP

(A – denotes absent)

Mr Stephen Charnock (Chair)

Mr Leslie Ayoola

Dr Phil Hodgson

Mr Peter McKay

Alan Franks **A**

ALSO PRESENT

Rachel Barber	Deputy Chief Constable, Nottinghamshire Police
Steve Cooper	Nottinghamshire Police
Helen Henshaw	EY
Mark Lunn	Mazars
Mark Kimberley	Head of Finance, Nottinghamshire Police
Noel McMenamin	Democratic Services, Nottinghamshire County Council
Garry Morris	EY
Charlie Radford	Chief Finance Officer, NOPCC
Paddy Tipping	Nottinghamshire Police and Crime Commissioner

Note: The minutes reflect the order in which the agenda items were considered at the meeting

1) APOLOGIES FOR ABSENCE

Alan Franks (Panel), Kevin Dennis (OPCC), Craig Guildford (Nottinghamshire Police), Neil Harris (EY).

2) DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Dr Phil Hodgson declared an interest in item 9 'Audit and Inspection Update' as he was the Head of Law and Social Services, University of Derby who had the contract for apprenticeship training.

3) MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting held on 23 June 2020, having been circulated to all members, were taken as read and were confirmed and signed by the Chair.

4) **PROGRESS AGAINST ACTION TRACKER**

Action 024: Use of Force Graphs and Raw data to be brought to meeting – being considered at this meeting, then marked as completed.

Action 25: Update on New Force Model Deferred from February 2020 – briefing at Force HQ not taken place because of Covid 19 pandemic. Being considered at this meeting, then marked as completed.

Action 031: GDPR Audit report – to be considered at additional Audit and Scrutiny Panel Meeting at end October 2020.

Action 034: It was confirmed that the delegation to the Chair and Chief Finance Officer for approval of 2018-2019 Final Statement/ISA260 still stood.

Action 035: Update on how transfer of MFSS back in-house had gone was rescheduled for November 2020.

5) **PRESENTATION – NOTTINGHAMSHIRE POLICE FORCE RE-STRUCTURE**

The Panel received a presentation by Assistant Chief Constable Steve Cooper on the Force Restructure, which had commenced in 2017. The presentation, which was published with the agenda, explained the principles behind the restructure, the anticipated benefits arising, the impact on local policing, contact management, support services and crime and intelligence, the outcomes of the Post Implementation Review and next steps.

The following points were made during discussion:

- The Panel welcomed the positive outcomes arising from the restructure as, and expressed the view that this ‘good news story’ should be advertised more widely;
- The Panel requested an update, quantifying the outcomes highlighted in the presentation, specifically on:
 - Improved burglary investigations and reduced crime;
 - Increase in MS&HT referrals;
 - Reduction in knife crime and increase in seizures;
 - Increase in Protect and prepare for vulnerable fraud and cyber victims;
 - Improved crime recording;
 - Reduction in victim-based and all crime;
 - Increase in satisfaction;
 - Increase in Confidence;
- It was confirmed that was good buy-in with early intervention, and that schools intervention worked particularly well;

- While larger metropolitan forces tended to opt for a more centralised structure, the restructure had struck the right balance in terms of flexibility to address both City and county issues, and relations with the City Council in particular were much improved ;
- In response to a Panel member's question, it was confirmed that all officers received trained in identifying honour-related crime.

RESOLVED 2020/029

To note the presentation, and to receive the data requested in due course.

6) NOTTINGHAMSHIRE POLICE USE OF FORCE 2019-2020

The Panel considered a report of the Deputy Chief Constable, providing an update on Nottinghamshire Police's Use of Force The report focussed on performance, proportionality and outcome rates. In her introduction, DCC Barber highlighted the change in issue of irritant spray from CS to PAVA, which could be used safely in conjunction with tazers. She also acknowledged that ensuring proportionality in the use of force remained a significant challenge.

The following issues were raised and points made during discussion:

- The Panel echoed concerns over proportionality and ethnicity. The Panel also acknowledged that reliable use of force data was not previously available, and so the current data provided the evidence base upon which to gauge future progress. Proportionality was national issue and steps were in hand to address the issue;
- it was confirmed that many more officers had been trained in the use of tazers, and their prevalence among officers 'on the ground' had given rise to increased incidence of use of force. However, drawing a tazer and 'red dotting' a subject, which was counted as a use of force incident, had proved a major deterrent;
- in view of recent tragic events, it was likely that a review of custody procedures, including use of force, would be actioned;
- the use of batons was becoming far less frequent, and numbers of injuries to officers and to the public had declined sharply;
- the use of bodyworn cameras had made an impact on how force was used, and provided useful evidence in assessing complaints;
- it was acknowledged that individual officer perception on what constituted use of force could potentially have the capacity to skew the data, but as the data set matured and officers gained a better understanding, a truer reflection of the issue would emerge.

RESOLVED 2020/030

To note the report.

7) EXTERNAL AUDIT PLAN

The Panel considered a report of the Chief Finance Officer, which provided the proposed External Audit Plan covering the audit of the accounts for 2019-2020, as well as detailing the proposed audit fee and method statement for delivery of the audit.

Helen Henshaw of EY introduced the report, highlighting several areas:

- Of the areas of risk/focus identified, there was an elevated risk in respect of the Valuation of Property, Plant and Equipment, while the risk in respect of the PCC's 2 PFI Schemes had been downgraded. While there was no change in respect of the risk on valuation of pensions liabilities, the implications of the MacLeod Judgement brought an additional level of complexity to the process;
- Performance materiality had been set at 50%, and audit differences will be reported back. On timetabling, the publication date had been pushed back to end November 2020; and 2018-19 and 2019-2020 external audit work would be 'twin-tracked' to progress both as quickly as possible;
- The financial statements would need to reflect the impact of Covid-19, and the pandemic would have a practical impact on the delivery of the external audit;
- The Value for Money risks identified at page 20 of the report, including MFSS, Joint Headquarters, contract management, and financial reporting and resilience, remained significant.

Charlotte Radford, Chief Finance Officer OPCC expressed the view that the risk identified could be mitigated, and that she was happy with the Plan as it stood.

Discussion turned to the scale of fees to be set. There was consensus that the audit scale fee as set by Public Sector Audit Appointments Ltd (PSAA) had been pushed so low that auditors could not sufficiently resource a quality service within the current financial envelope. EY would undertake to track closely costs arising, and through negotiation would determine what costs reasonably fell within and outside the scale fee.

RESOLVED 2020/031

- 1) that the External Audit Plan at Appendix 1 to the report be approved;**

- 2) **that the proposed audit fees for the Police and Crime Commissioner and Chief Constable be approved, it being noted that the intention was to increase those fees above that awarded in the contract by the PSAA**

8) **INTERNAL AUDIT PROGRESS REPORT**

Mark Lunn of Mazars LLP introduced the internal audit progress report, providing an update on work carried out against the Annual Plan for 2020-2021.

Mr Lunn explained that, unfortunately, no draft reports had been generated for consideration at this meeting, primarily as a result of difficulties in delivering effective internal audit during the Covid-19 pandemic. The Panel and Chief Finance Officer would be kept informed of progress against the Plan, and a priority-based approach would be considered if necessary.

For 2019-2020 collaboration reports, the final report on Health and Safety had been issued, but that report on business continuity remained outstanding.

The Panel noted the update without substantive discussion.

RESOLVED 2020/032

To note the update.

9) **AUDIT AND INSPECTION UPDATE**

Dr Phil Hodgson declared an interest in this item as he was the Head of Law and Social Services, University of Derby, the organisation with the contract for apprenticeship training.

The Panel considered a report of the Deputy Chief Constable, providing an update on progress against recommendations arising from audits and inspections which had taken place in the first quarter of 2020-2021. DCC Barber advised that an HMICFRS inspection on the Force's response to the Covid-19 pandemic was taking place shortly.

RESOLVED 2020/033

To note the report.

10) **POLICE AND CRIME COMMISSIONER'S UPDATE REPORT TO JUNE 2020 – FOR INFORMATION**

The Panel considered a report of the Police and Crime Commissioner, providing the update given to the Police and Crime Panel earlier in September 2020 on progress against the delivery of the Police and Crime Plan 2018-2021, along with a summary of performance headlines for Quarter 1 of 2020-2021.

The following points were made during discussion:

- The Covid-19 pandemic, while extremely challenging, had led to greater agile working in the Force, and there had been higher Police visibility in neighbourhoods, helping drive down general crime;
- Police Forces had not yet received compensation from central government for Covid-related expenditure, but Home Office and Treasury ministers were meeting shortly to resolve this issue;
- Paragraphs 4.3 and 4.4 of the report referred to recruitment, retention and progression of BAME officers and staff. A Panel member requested further information in respect of Police officers and staff of Afro-Caribbean ethnicity

RESOLVED 2020/034

To note the report.

11) PUBLICATION SCHEME MONITORING, REVIEW AND ASSURANCE

The Panel noted the report on the OPCC Publication Scheme monitoring, review and assurance without substantive comment.

RESOLVED 2020/035

To note the report.

12) FORCE REPORT ON THE FORCE PUBLICATION SCHEME JANUARY TO JUNE 2020

The Panel noted the Force's update report on its Publication Scheme, noting that efforts were ongoing to publish more data in order to avoid the need to respond to Freedom of Information requests.

RESOLVED 2020/036

To note the report.

13) NOTTINGHAMSHIRE POLICE INFORMATION MANAGEMENT – FREEDOM OF INFORMATION AND DATA PROTECTION INFORMATION REQUESTS UPDATE JANUARY TO JUNE 2020

The Panel considered the report, which provided an update on legislative compliance for information requests under the Freedom of Information Act and Data Protection Act in the first half of 2020.

In the brief discussion which followed, it was confirmed that performance was improving slowly, with a balance needed between addressing new and historic requests. Vacancies were being filled however, and it was hoped that this would accelerate progress in the months to come.

RESOLVED 2020/037

To note the report.

14) JOINT AUDIT AND SCRUTINY WORK PLAN 2020-2021

RESOLVED 2020/038

To note the report, noting further that an additional meeting had been scheduled the 27 October 2020 to consider outstanding presentations.

15) SUMMARY OF ACTIONS

Item5 – Force Restructure – To provide quantitative data on the benefits the Force restructure had helped deliver.

Item 10 – Police and Crime Commissioner’s Report – To provide further statistical information in respect of Police officers and staff of Afro-Caribbean ethnicity.

The meeting concluded at 12.20pm